

January 9, 1976

we continue the debate on Senator Kennedy's bill and maybe in another ten minutes we might have more members here.

SENATOR CAVANAUGH: Well there are 30 here.

PRESIDENT: We had only 27 when we took roll but there are considerable more than that here now. Mr. Clerk, the reference to the Legislature as a whole then will be the matter up for discussion. Is that correct? What bills were referred to the Legislature Mr. Clerk?

CLERK: None by number it just says that all medical malpractice bills.

PRESIDENT: Were any of them specifically referred too?

CLERK: Not by number but in the reference they deleted reference to 703.

PRESIDENT: 703?

SENATOR CAVANAUGH: Senator Mahoney can explain them.

PRESIDENT: You are going to be discussing LB703 then, Senator?

SENATOR MAHONEY: I just found out that I was going too. Oh, the reference report. Yes, Yes, Yes. Well there are not quite enough members here but it is just as well that we get this on its way. I'll explain it and it is necessary that the Executive Board has been able to take action on the other bills that the Clerk will read, except in respect to LB704 and the bill that we had yesterday which was Senator Clark's bill. Vince can you get me the number on that? 680? There were two things that took place in Executive Board meeting at 12:00 noon today. There was quite a discussion in which the various people that are concerned with the malpractice bills came before the Executive Board and discussed them quite lengthy in which the Chairman of the Banking, Commerce and Insurance Committee, Senator Murphy, asked for time to present his philosophy on what should happen with these bills and particularly a bill of yesterday that our Legislative Researcher, Dr. Jack Rodgers, felt that that particular bill was to be sent and we did refer it to the Public Health Committee. Today we had the second bill which was offered by Senator Schmit and there was a motion to have that motion sent to the Judiciary Committee and the Executive Board voted on that bill and I believe that it was 5 to 3 to have it re-referred from the Public Health Committee in which Dr. Jack Rodgers had sent it to be referred to Judiciary. At that point there was more discussion as to a third bill that will be coming up. The third bill will be a bill by the Public Health Committee themselves, in conjunction with the Banking, Commerce and Insurance Committee have offered and was going to be hitting the Clerk's desk in the next day or two. This third bill then broke down into a discussion that whatever happened in the Executive Board, the sending of these three bills, we would be sending one bill to each committee. One to Public Health and one to Judiciary and a third bill to Banking, Commerce and Insurance. Of course there was more spirited debate and it was the feeling of the committee that it was impossible to live with this situation that three different